

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, APRIL 21, 2003 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chairperson Cook; Council Members: Camp, Friendt, McRoy, Seng, Svoboda, Werner, Joan Ross, City Clerk.

Council Chair asked all present to stand and recite the Pledge of Allegiance and reflect for a moment of silent meditation.

READING OF THE MINUTES

CAMP Having been appointed to read the minutes of the City Council proceedings of April 14, 2003, reported having done so, found same correct.

Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

PUBLIC HEARING

APPLICATION OF DMACKS, INC. DBA "LEGENDS" FOR A CLASS "C" LIQUOR LICENSE AT 8300 NORTHWOODS DRIVE;

MANAGER APPLICATION OF CHAD R. MEISTER FOR DMACKS, INC. DBA "LEGENDS" AT 8300 NORTHWOODS DRIVE - Chad Meister, 122 North 11th Street, came forward and took the oath.

This matter was taken under advisement.

APPLICATION OF BAG 'N SAVE, INC. DBA "BAG 'N SAVE" FOR A CLASS "D" LIQUOR LICENSE AT 4615 VINE STREET;

MANAGER APPLICATION OF HELENE R. SHRAGO FOR BAG 'N SAVE, INC. DBA "BAG 'N SAVE" AT 4615 VINE STREET - Helene Shrago, 12639 Shirley Street, Omaha, NE, came forward and took the oath to answer Council questions.

Councilman Werner asked Ms. Shrago how much time she intended to spend at the Lincoln store. She responded that she would be here approximately 15 hours per week. Mr. Werner asked about the training procedure that their store had in place and she explained about the scanning and how their cash registers worked in relation to keying in birth dates. She further explained their training rules for employees.

Councilman Svoboda asked if the Police Dept. needed to have a name of a manager that is in the Lincoln store full time if that could be provided. Ms. Shrago stated that would be made available.

This matter was taken under advisement.

APPLICATION OF DENIS VONTZ DBA "HIGHLANDS GOLF COURSE" FOR AN UPGRADE OF A CLASS "J" LIQUOR LICENSE TO CLASS "I" AT 5501 N.W. 12TH STREET - Denis Vontz, 7514 Brummond Street, came forward and took the oath. He explained that due to the banquet facilities they have available, he would like to be able to have a license for the sale of mixed drinks.

Councilman Svoboda asked Mr. Vontz if any other city golf courses served mixed drinks. Mr. Vontz responded that they do not. Mr. Svoboda further questioned about mixed drinks being out on the golf course. Mr. Vontz replied that the main sales for the golf course is actually beer, but mixed drinks could be served on the course.

This matter was taken under advisement.

VACATING R STREET FROM THE EAST LINE OF 9TH STREET TO THE WEST LINE OF 10TH STREET - Tom Huston, 233 S. 13th Street, Suite 1900, Attorney representing the Lincoln Journal Star, came forward in favor of this vacation.

This matter was taken under advisement.

DECLARING APPROXIMATELY 0.3 ACRES OF THE HIGHLANDS SOUTH PARK PROPERTY LOCATED AT W. KATLEMAN DRIVE AND N.W. FAIRWAY DRIVE, AS SURPLUS AND AUTHORIZING THE SALE THEREOF - Lynn Johnson, Director of Parks & Recreation, came forward to explain the plan of surplusizing this park land and the sale.

Councilman Friendt asked if this property would be transferred or purchased. Mr. Johnson explained it would be sold at a pro-rated rate and would bring in approximately \$30,000 and the valuation was set in the negotiations with the neighbors.

Councilman Svoboda asked if all the neighbors were interested in this property. Mr. Johnson said all but three were interested. He stated they all belong to a Home Owners Association and they are responsible for the care of this land.

Tom Reisher, 5438 NW Fairway Dr., came forward in favor.

This matter was taken under advisement.

AMENDING CHAPTER 12.20 OF THE LINCOLN MUNICIPAL CODE TO EXPAND THE TYPES OF LANDSCAPE PLANTINGS ALLOWED WITHIN THE SIDEWALK SPACE IN PUBLIC RIGHT-OF-WAY AREAS - Lynn Johnson, Director of Parks & Recreation, came forward to explain the proposed changes in the ordinance which would allow people to plant annuals, perennials, flowering plants, ornamental grasses and ground covers. He stated that the Parks & Recreation Board had met and endorsed this in October of 2002.

Councilwoman Seng asked why vegetable gardens would not be allowed in this same space. Mr. Johnson stated that there was quite a lot of discussion on this matter and due to upkeep and aesthetics, it was felt that vegetables should be eliminated.

Councilman Camp commented that many people do not know about the right-of-way extending in towards a person's home by an additional 3 - 4 feet beyond the sidewalk edge. Homeowners would be able to plant right up to the sidewalk. He asked if we would be creating any administrative burdens for the City with the enforcement of this ordinance. Mr. Johnson stated he hoped this would be easier to enforce than what we presently have. Mr. Camp also asked about shrubs being planted close to the curb and if passengers could potentially have problems exiting vehicle. Mr. Johnson stated he hoped people would be judicious about how they do their plantings and take this matter into consideration.

Councilman Svoboda stated that only street trees can be done in these areas and people need to check the allowances approved by Parks & Recreation.

Council Chair Cook wanted to clarify that the space is actually property line to curb and sometimes the property line is 3 to 4' behind the sidewalk, people think that is theirs, they plant there and not realizing in fact that what they are doing is not legal under the current law. The other item is the height behind the sidewalk, while there wouldn't be any specific height restriction in this, site distances would still apply. So if there were traffic issues there, it would still be a 30" limit behind the sidewalk, if people needed that visibility.

Councilwoman McRoy asked if the ground cover included ornamental rock. Mr. Johnson stated it did not. This is specifically vegetation. The ground cover needs to be living material.

This matter was taken under advisement.

AMENDING CHAPTER 14.80 OF THE LINCOLN MUNICIPAL CODE RELATING TO SIDEWALK CONSTRUCTION BY AMENDING SECTION 14.80.010 TO DESIGNATE PERMITTED USES OF THE SPACE BETWEEN THE LOT LINE AND CURB (SIDEWALK SPACE) AND ADDING A NEW SECTION NUMBERED 14.80.015 TO PROVIDE FOR THE USE OF DECORATIVE GRAVEL OR ROCK MULCH IN THE SIDEWALK SPACE - Allan Abbott, Director of Public Works & Utilities, came forward to speak about the misuse of the right of way and stated they had over 550 complaints last year regarding misuse of city right-of-way (statement amended to include all complaints, not just right-of-way complaints). He questioned how unenforceable this new ordinance would be due to the way it is written.

Councilman Svoboda asked about the wording of the ordinance, if it would help Public Works if this would be amended about impeding the water flow in the curb. Mr. Abbott stated it would help give some guidance.

Discussion ensued among Council members regarding different aspects of this ordinance.

Wesley Bouwens, 4901 N. 17th Street, came forward in support of this matter. He stated he has had river rock along his right-of-way for quite some time and considered it an issue that saves water.

Lynn Johnson, Director of Parks and Recreation, came forward to answer questions asked by Councilman Svoboda regarding definitions of rock mulch. Mr. Svoboda spoke to the concerns of the liability with a contractor that the city hires to trim these areas when people are not taking care of the weeds that are growing. He asked the City Attorney to address the issue of a penalty regarding rocks spilling into the street.

Dana Roper, City Attorney, came forward and stated the fine would be \$500 and/or six months in jail if tickets were issued regarding overgrowth.

Councilman Camp asked if we want to worry about the large boulders. He questioned if we are being reasonable about introducing something that is more hazardous than what already exists. Mr. Johnson said that the real concern is when it is sidewalk to curb and property line to property line. If there were landscape rock, rock mulch and we have to define what that is, that is integrated around the plants and it is attractive and part of the landscape design. Mr. Camp expressed concern about the fixed object, such as boulders, where a shrub or plant, a child would run over the top of it. Mr. Camp asked if there was a liability issue that we need to be concerned of. Mr. Roper said there was not.

This matter was taken under advisement.

APPROVING A MULTI-YEAR CONTRACT BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PLANNING, CONSULTING, ENGINEERING, DESIGN, AND CONSTRUCTION ACTIVITIES AND COSTS ASSOCIATED WITH THE WATER QUALITY REHABILITATION PROJECT AT HOLMES LAKE - J. J. Yost, Planning & Construction Manager for Parks & Recreation, came forward to explain the rehabilitation that is planned for Holmes Lake and that funding is coming from several sources.

This matter was taken under advisement.

REAPPOINTING JAMES MCKEE, JERRY L. BERGGREN, AND TIM FRANCIS TO THE HISTORIC PRESERVATION COMMISSION FOR THREE-YEAR TERMS EXPIRING APRIL 15, 2006 - Ed Patterson, 2108 Q Street, came forward in opposition to the reappointment of Tim Francis.

This matter was taken under advisement.

APPROVING A MODIFICATION OF THE LAND SUBDIVISION ORDINANCE IN THE FINAL PLAT OF PINE LAKE HEIGHTS SOUTH 7TH ADDITION TO ALLOW A DELAY IN THE CONSTRUCTION OF A PORTION OF GRAINGER PARKWAY, GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 40TH STREET AND YANKEE HILL ROAD, UNTIL THE ABUTTING PROPERTY IS FINAL PLATTED - DaNay Kalkowski, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, representing Ridge Development Company and Southview, Inc. stated until the two outlots are platted into buildable lots of record and that they do not have the development plans on the outlots which are zoned commercially, makes it difficult to design the intersection at Grainger Parkway and 40th Street at this time.

Council Chair Cook asked how long it might be before the development of the outlots? Ms. Kalkowski stated it would depend on finding a real user for the lots.

This matter was taken under advisement.

APPROVING A PROCESS AND CRITERIA FOR REVIEW AND APPROVAL OF ENHANCED LANDSCAPING AND/OR STREETScape IMPROVEMENTS IN PUBLIC RIGHT-OF-WAY AREAS - Lynn Johnson, Director of Parks & Recreation, came forward to explain the areas of the city that are being enhanced. Mr. Johnson gave a summary of how Parks & Rec staff would work together to plan a design, then submit it to the Urban Design Committee for their approval of whether enhanced street scaping makes sense. Then on to the City Council to review and approve. The City Council would also identify the source for the ongoing maintenance.

Council Chair Cook wanted to clarify that this is not related to the other sidewalk space ordinances presented on this date.

This matter was taken under advisement.

AUTHORIZING THE MAYOR TO EXECUTE A MULTI-YEAR CONTRACT WHEN FUNDING COMES FROM MORE THAN ONE FISCAL YEAR C.I.P. BUDGET FOR THE HOLMES LAKE RESTORATION PROJECT - J. J. Yost, Planning & Construction Manager for Parks & Recreation, came forward to explain this multi-year contract process. He stated that first there would be the bid on the design; the construction to start in May, 2003; dredging and earthwork lasting for approximately one year and hopeful completion date of July 4, 2004. There may be some additional enhancements that continue in the Fall of 2004.

Councilman Camp asked for further explanation of construction work. Mr. Yost stated the dredging would remove 300 - 400,000 cubic yards of material from the lake and would be placed in the park area beside the south side of the lake. Mr. Camp asked about what the residents that live close could expect. Mr. Yost stated they did not expect to upset daily lifestyle and that the normal working hours would be observed by the contractors.

Councilwoman McRoy asked about the partners who are State entities and if the current situation with the State budget situation, would re-shift the committed funds. Mr. Yost indicated that these are federal funds from the EPA and that they are secure. The Game & Parks funds come from the sale of aquatic habitat stamps, which are secured for lake restoration.

Councilman Svoboda asked how the lake would be refilled. Mr. Yost responded that it would be by rain and runoff from the watersheds.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF MARCH 16 - 31, 2003 - Jeremy Tumbleson, 7301 Glenview Drive, came forward to explain his claim against the city. He submitted copies of the accident report and the insurance companies adjustment of damages that occurred to his vehicle on Feb. 23, 2003.

Councilman Camp asked if any of the repair work had been completed and he responded that he was waiting for liabilities to get settled.

Councilwoman McRoy asked if there were any other vehicles behind him and if the snowplow operator was ticketed. He indicated there were and it took almost 12 blocks to flag down the plow that had struck his vehicle. The snowplow operator was not ticketed.

Councilman Svoboda stated this was obviously a blind spot for the snowplow operator. He asked if he could see the driver's face through his mirror as he was sitting there.

Councilman Friendt asked for the reason of denial.

Dana Roper, City Attorney, came forward to answer that the denial came from Risk Management. He informed Council that three vehicles were going down the road, in a row, 2 snowplows and one sander and all vehicles had their beacon lights flashing. According to the Lincoln Municipal Code there is a section on street maintenance vehicles saying that the driver of a street maintenance vehicle is exempt and may disregard ordinances and regulations governing the direction or movement provided they have their yellow flashing lights on and provided that they haven't done so in reckless disregard or disregard for the safety of others.

Councilman Svoboda asked what precedence would be set if the Council approved this item. Mr. Roper responded that it would not be helpful to try and get snow removed if they have got to go out of their way to avoid traffic, when it is the traffic, because of the yellow beacons that should be yielding to them, and avoiding them.

Allan Abbott, Director of Public Works & Utilities, came forward to answer the question regarding the multi-lane highway with turn lanes and you have three trucks, and you take over and move left to get the turn lane, you are going to be moving back over. It is difficult when removing snow with one person per truck to watch everything in front of you as well as merging to the right. We have had relatively few accidents.

Councilman Werner asked Mr. Roper if the snowplow driver can ever be found negligent. Mr. Roper stated they could be and it would have to be a high degree of disregard for safety before it became reckless.

Councilman Svoboda if we were direct you to within our city ordinances locate the area where it discusses the responsibility of the driver, is there such an area that you can put your finger on, or is it just assumed? Mr. Roper agreed that there are ordinances regarding recklessness and negligence. And again he pointed to the yellow beacon light meaning you have to be cautious.

Mr. Tumbleson returned for rebuttal. He explained that when the snowplows turned into the left turn lane, that opened up two clear lanes to pass by. He merged over into the right, as did the cars following him. He felt he had a clear lane.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS - NONE

**** END OF PUBLIC HEARING ****

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF DMACKS, INC. DBA "LEGENDS" FOR A CLASS "C" LIQUOR LICENSE AT 8300 NORTHWOODS DRIVE - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82048 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Dmacks, Inc. dba "Legend's" for a Class "C" liquor license at 8300 Northwoods Drive, Lincoln, Nebraska, for the license period ending October 31, 2003, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

MANAGER APPLICATION OF CHAD R. MEISTER FOR DMACKS, INC. DBA "LEGENDS" AT 8300 NORTHWOODS DRIVE - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82049 WHEREAS, Dmacks, Inc. dba "Legend's" located at 8300 Northwoods Drive, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Chad R. Meister be named manager;

WHEREAS, Chad R. Meister appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Chad R. Meister be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Glenn Friendt

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

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APPLICATION OF BAG 'N SAVE, INC. DBA "BAG 'N SAVE" FOR A CLASS "D" LIQUOR LICENSE AT 4615 VINE STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82050 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Bag 'N Save, Inc. dba "Bag 'N Save" for a Class "D" liquor license at 4615 Vine Street, Lincoln, Nebraska, for the license period ending April 30, 2003, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

MANAGER APPLICATION OF HELENE R. SHRAGO FOR BAG 'N SAVE, INC. DBA "BAG 'N SAVE" AT 4615 VINE STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82051 WHEREAS, Bag 'N Save, Inc. dba "Bag 'N Save" located at 4615 Vine Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Helene R. Shargo be named manager; WHEREAS, Helene R. Shargo appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Helene R. Shargo be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF DENIS VONTZ DBA "HIGHLANDS GOLF COURSE" FOR AN UPGRADE OF A CLASS "J" LIQUOR LICENSE TO CLASS "I" AT 5501 N.W. 12TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82052 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Denis Vontz dba "Highlands Golf Course" for an upgrade of a Class "J" liquor license to a Class "I" liquor license at 5501 N.W. 12th Street, Lincoln, Nebraska, for the license period ending April 30, 2003, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ORDINANCES - 2ND READING

VACATING R STREET FROM THE EAST LINE OF 9TH STREET TO THE WEST LINE OF 10TH STREET - CLERK read the following ordinance, introduced by Annette McRoy, vacating R Street from the east line of 9th Street to the west line of 10th Street, the second time.

DECLARING APPROXIMATELY 0.3 ACRES OF THE HIGHLANDS SOUTH PARK PROPERTY LOCATED AT W. KATLEMAN DRIVE AND N.W. FAIRWAY DRIVE, AS SURPLUS AND AUTHORIZING THE SALE THEREOF - CLERK read the following ordinance, introduced by Annette McRoy, declaring approximately 0.3 acres of the Highlands South Park property located at W. Katleman Drive and N.W. Fairway Drive, as surplus and authorizing the sale thereof, the second time.

AMENDING CHAPTER 12.20 OF THE LINCOLN MUNICIPAL CODE TO EXPAND THE TYPES OF LANDSCAPE PLANTINGS ALLOWED WITHIN THE SIDEWALK SPACE IN PUBLIC RIGHT-OF-WAY AREAS - CLERK read the following ordinance, introduced by Annette McRoy, amending Chapter 12.20 of the Lincoln Municipal Code to expand the types of landscape plantings allowed within the sidewalk space in public right-of way areas, the second time.

AMENDING CHAPTER 14.80 OF THE LINCOLN MUNICIPAL CODE RELATING TO SIDEWALK CONSTRUCTION BY AMENDING SECTION 14.80.010 TO DESIGNATE PERMITTED USES OF THE SPACE BETWEEN THE LOT LINE AND CURB (SIDEWALK SPACE) AND ADDING A NEW SECTION NUMBERED 14.80.015 TO PROVIDE FOR THE USE OF DECORATIVE GRAVEL OR ROCK MULCH IN THE SIDEWALK SPACE - CLERK read the following ordinance, introduced by Annette McRoy, amending Chapter 14.80 of the Lincoln Municipal Code relating to sidewalk construction by amending Section 14.80.010 to designate permitted uses of the space between the lot line and curb (sidewalk space) and adding a new section numbered 14.80.015 to provide for the use of decorative gravel or rock mulch in the sidewalk space, the second time.

APPROVING A MULTI-YEAR CONTRACT BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PLANNING, CONSULTING, ENGINEERING, DESIGN, AND CONSTRUCTION ACTIVITIES AND COSTS ASSOCIATED WITH THE WATER QUALITY REHABILITATION PROJECT AT HOLMES LAKE - CLERK read the following ordinance, introduced by Annette McRoy, approving a multi-yea contract between the City and the Nebraska Department of Environmental Quality for the planning, consulting, engineering, design and construction activities and costs associated with the water quality rehabilitation project at Holmes Lake, the second time.

AMENDING VARIOUS CHAPTERS OF THE LINCOLN MUNICIPAL CODE TO CHANGE REFERENCES TO "FIRE DEPARTMENT" TO "FIRE AND RESCUE DEPARTMENT" - CLERK read the following ordinance, introduced by Annette McRoy, amending various chapters of the Lincoln Municipal Code to change references to "Fire Department" to "Fire and Rescue Department", the second time.

RESOLUTIONS

REAPPOINTING JAMES MCKEE, JERRY L. BERGGREN, AND TIM FRANCIS TO THE HISTORIC PRESERVATION COMMISSION FOR THREE-YEAR TERMS EXPIRING APRIL 15, 2006 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82053 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of James McKee, Jerry L. Berggren, and Tim Francis to the Historic Preservation Commission for three-year terms expiring April 15, 2006 is hereby approved.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

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REAPPOINTING MATT MORRISSEY, ROGER KREIFELS, DOUG BIGGERSTAFF, MIKE MCNIFF, AND MIKE BERRY TO THE GAS PIPING EXAM BOARD FOR A THREE-YEAR TERM EXPIRING APRIL 1, 2006 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82054 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Matt Morrissey, Roger Kreifels, Doug Biggerstaff, Mike McNiff, and Mike Barry to the Gas Piping Exam Board for three-year terms expiring April 1, 2006 is hereby approved.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPOINTING KEVIN BROWN TO THE MULTICULTURAL ADVISORY COMMITTEE TO FILL AN UNEXPIRED TERM EXPIRING SEPTEMBER 18, 2005 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82055 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Kevin Brown to the Multicultural Advisory Committee to fill an unexpired term expiring September 18, 2005 is hereby approved.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPOINTING JOLANDA JUNGE AND LEON CALDWELL, PH.D. TO THE PARKS AND RECREATION ADVISORY BOARD FOR TERMS EXPIRING APRIL 27, 2005 AND APRIL 27, 2006, RESPECTIVELY - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82056 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Jolanda Junge and Leon Caldwell, Ph.D. to the Parks and Recreation Advisory Board for terms expiring April 27, 2005 and April 27, 2006, respectively, is hereby approved.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING A MODIFICATION OF THE LAND SUBDIVISION ORDINANCE IN THE FINAL PLAT OF PINE LAKE HEIGHTS SOUTH 7TH ADDITION TO ALLOW A DELAY IN THE CONSTRUCTION OF A PORTION OF GRAINGER PARKWAY, GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 40TH STREET AND YANKEE HILL ROAD, UNTIL THE ABUTTING PROPERTY IS FINAL PLATTED - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82057 WHEREAS, Ridge Development Company and Southview, Inc. previously submitted and received approval of the final plat designated as Pine Lake Heights South 7th Addition by the City of Lincoln; and

WHEREAS, one of the conditions of approval for said final plat included construction of Grainger Parkway in said Addition as shown on the plat to be completed within two years following Planning Commission approval; and

WHEREAS, Ridge Development Company and Southview, Inc., hereinafter referred to as "Subdivider" are requesting an extension of the completion date for installation of Grainger Parkway northwest of the intersection of South 40th Street and Yankee Hill Road until the adjacent outlots are developed; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said request for the waiver of the requirement of Lincoln Municipal Code Section 26.27.010 that said improvement be installed within two years of final plat approval and recommends conditional approval of an extension of the time for installation of said street until the adjacent outlots are subdivided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That the installation of a portion of Grainger Parkway in Pine Lake Heights South 7th Addition is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship and therefore the requirement of Section 26.27.010 of the Lincoln Municipal Code providing streets be installed within two years of final plat approval is waived to allow that portion of Grainger Parkway between the east lot line of Lot 13, Block 6, Pine Lake Heights South 7th Addition and the west right-of-way line of South 40th Street to be constructed with any future final plat involving either or both Outlots F and G.

2. That all other conditions for approval of the Final Plat of Pine Lake Heights South 7th Addition shall remain in full force and effect.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING A PROCESS AND CRITERIA FOR REVIEW AND APPROVAL OF ENHANCED LANDSCAPING AND/OR STREETScape IMPROVEMENTS IN PUBLIC RIGHT-OF-WAY AREAS - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82058 WHEREAS, basic streetscape treatment of Lincoln rights-of-way include concrete sidewalks, wooden streetlight poles and lights selected by LES, turf "parking" areas, and street trees per city design standards, and landscape medians within arterial street right-of-ways planted with low maintenance, drought-tolerant turf accented with groupings of ornamental trees and/or ornamental grasses; and

WHEREAS, in certain, limited areas within the community enhanced streetscape may be appropriate within and along arterial streets and other high profile locations beyond the basic streetscape type as proposed and developed by staff in consultation with interested citizens and reviewed by Urban Design Committee; and

WHEREAS, the Department of Parks and Recreation has prepared a Process for Approving "Enhanced Landscaping" and/or "Enhanced Streetscaping" within and along Public Right-of-Way Areas, which is attached hereto, marked as Attachment "A"; and

WHEREAS, the City Council desires that a standard process for approving enhanced landscaping and/or enhanced streetscaping within and along public right-of-way areas be adopted.

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Process for Approving "Enhanced Landscaping" and or "Enhanced Streetscaping" within and along Public Right-of-Way Areas which is attached hereto, marked as Attachment "A" and made a part hereof by reference, under which a process and criteria is set out for review and approval of enhanced landscaping and improvements in the public right-of-way, is hereby accepted and approved.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ADOPTING THE CHANGES IN THE ACCESS RULES THAT HAVE BEEN PROPOSED BY THE CABLE TELEVISION ADVISORY BOARD - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82059 WHEREAS, the City Council has indicated through its franchise with Time Warner Cable that access rules shall be promulgated by the Cable Advisory Board; and

WHEREAS, the Lincoln Municipal Code § 5.16.510 provides that the Cable Advisory Board shall review and assist in the drafting of such access rules; and

WHEREAS, the Cable Advisory Board has previously drafted and enacted access rules which have been approved by the City Council, has reviewed such rules and has recommended the amendments contained in the attached set of access rules for the Lincoln community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Rules Governing the Access Channel, recommended by the Lincoln Cable Advisory Board, a copy of which is attached hereto, are approved and that the Cable Advisory Board is directed to implement such rules.

BE IT FURTHER RESOLVED, that Resolution A-81769 and the rules promulgated thereunder are hereby superseded.

Introduced by Coleen Seng
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

AUTHORIZING THE MAYOR TO EXECUTE A MULTI-YEAR CONTRACT WHEN FUNDING COMES FROM MORE THAN ONE FISCAL YEAR C.I.P. BUDGET FOR THE HOLMES LAKE RESTORATION PROJECT - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82060 WHEREAS, the project for the restoration of Holmes Lake and Park must begin in FY 2002-03 in order to receive funds from the Nebraska Department of Environmental Quality (NDEQ) for the project; and

WHEREAS, if the NDEQ funds are not committed now, it will not be possible to do the project; and

WHEREAS, the current fiscal year 2002-03 has identified \$75,000 of CIP funds for the project and the remaining funding in the amount of \$725,000 will be available in the fiscal 2003-04 C.I.P. budget; and

WHEREAS, the Department of Parks and Recreation has advertised for bids for the restoration of Holmes Lake and Park to be paid for from appropriations from fiscal years 2002-03 and 2003-04; and

WHEREAS, Article VII, Section 3 of the Charter of the City of Lincoln provides that no contract involving the expenditure of money from appropriations of more than one year, other than appropriations of borrowed money, shall be valid unless approved by ordinance or resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Mayor is authorized to execute a contract or contracts between the City of Lincoln, Nebraska and the lowest responsible bidder or bidders for the restoration of Holmes Lake and Park to be paid from fiscal years 2002-03 and 2003-04.

Introduced by Coleen Seng
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING AN ANNEXATION AGREEMENT BETWEEN PINE LAKE DEVELOPMENT L.L.C., STANLEY L. PORTSCHE AND GRACE A. PORTSCHE, MID-AMERICAN UNION CONFERENCE ASSOCIATION OF SEVENTH DAY ADVENTISTS, AND THE CITY OF LINCOLN OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 41 ACRES OF PROPERTY GENERALLY LOCATED WEST OF 84TH STREET AND NORTH OF HIGHWAY 2. (In connection w/03-21, 03-22, 03R-26, 03R-27) (2/03/03 - P.H. con't w/Action to 2/10/03) (2/10/03 - Public Hearing & Action Delayed 2 wks. to 2/24/03) (2/24/03 - Delay Action 2 weeks to 3/10/03) (3/17/03 - Lost as amended, 3-4; Cook, McRoy, Seng, Werner dissenting) (3/24/03 - To have Public Hearing & Action on 4/14/03) (4/14/03 - Tie Vote 3-3; Werner Absent, carried over to 4/21/03 for Action Only)- PRIOR to reading:

WERNER Moved to delay action on Bill No. 03R-25 for one week to 4/28/03.

Seconded by Seng & carried by the following vote: AYES: Cook, McRoy, Seng, Werner; NAYS: Camp, Friendt, Svoboda.

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2003 AT 1:30 P.M. FOR THE CORPORATE MANAGER APPLICATION OF DOUGLAS B. MORRIS FOR BUGGY BATH EAST, L.L.C. DBA BUGGY BATH CAR WASH EAST, LOCATED AT 8350 NORTHWOODS DRIVE -

A-82061 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., May 5, 2003 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the Manager Application of Douglas B. Morris for Buggy Bath East, L.L.C. dba Buggy Bath Car Wash East, located at 8350 Northwoods Drive.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Coleen Seng
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2003 AT 1:30 P.M. FOR THE CORPORATE MANAGER APPLICATION OF DOUGLAS B. MORRIS FOR BUGGY BATH WEST, L.L.C. DBA BUGGY BATH CAR WASH WEST, LOCATED AT 1502 WEST "O" STREET - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82062 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., May 5, 2003 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the Manager Application of Douglas B. Morris for Buggy Bath West, L.L.C. dba Buggy Bath Car Wash West, located at 1502 West "O" Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2003 AT 1:30 P.M. FOR THE APPLICATION OF JJ KAT INC. DBA BREWSKY'S FOOD & SPIRITS FOR A CLASS I LIQUOR LICENSE, LOCATED AT 201 N. 8TH STREET - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82063 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., May 5, 2003 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the Application of JJ Kat Inc. dba Brewsky's Food & Spirits for a Class I liquor license, located at 201 N. 8th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: YES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2003 AT 1:30 P.M. FOR THE APPLICATION OF DIAN HUA DBA GOURMET CHINA BUFFET FOR A CLASS J LIQUOR LICENSE, LOCATED AT 5130 N. 27TH STREET - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82064 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., May 5, 2003 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the Application of Dian Hua dba Gourmet China Buffet for a Class J liquor license, located at 5130 N. 27th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

PETITIONS & COMMUNICATIONS

INFORMAL PETITION FOR CREATION OF A SEWER, WATER AND PAVING DISTRICT IN LAZY ACRES NEIGHBORHOOD, SUBMITTED BY RICHARD BAEDER - CLERK presented said petition which was referred to the Public Works Dept.

FORMAL PAVING PETITION 2626 FOR WEST SOUTH STREET, SW 23RD ST TO SW 27TH STREET AND SW 27TH ST., WEST SOUTH STREET TO WEST "A" STREET, SUBMITTED BY DUANE HARTMAN OF HARTLAND HOMES - CLERK presented said petition which was referred to the Law Dept.

FORMAL PETITION FOR ORNAMENTAL LIGHTING DISTRICT 286 FOR 27TH STREET TO 20TH STREET, VAN DORN STREET TO HIGH STREET, SUBMITTED BY ROBIN KREMER, JOHN NEAL, FLORENCE HASKINS, AND PATRICIA HASKINS SILEO - CLERK presented said petition which was referred to Law Dept.

REGULAR MEETING
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THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT.:

CHANGE OF ZONE NO. 3401 - APP. OF MARC WULLSCHLEGER FROM AN R6 TO B3 GENERALLY LOCATED AT 2645 P STREET, 2601 P STREET, AND 135 N. 27TH STREET.
CHANGE OF ZONE NO. 3403 - APP. OF KENT SEACREST FROM I-1 TO B-4 GENERALLY LOCATED AT 721 "K" STREET.
CHANGE OF ZONE NO. 3404 - APP. OF PETER W. KATT FROM R-3 TO H-3 GENERALLY LOCATED AT 6340 N. 27TH STREET.
CHANGE OF ZONE NO. 3405 - APP. OF DIRECTOR OF PUBLIC WORKS & UTILITIES FOR A TEXT CHANGE TO SECTION 27.81.010. RELATING TO EROSION AND SEDIMENT CONTROL THRESHOLD.
SPECIAL PERMIT NO. 622F - APP. OF ROSS ENGINEERING, INC. REPRESENTING LAKESIDE PARTNERS, L.L.C. FOR A C.U.P. GENERALLY LOCATED AT LAKESIDE DRIVE AND SURFSIDE DRIVE.
SPECIAL PERMIT NO. 846B - APP. OF THE CLARK ENERSEN PARTNERS, REPRESENTING CHRIST LUTHERAN CHURCH FOR INCREASED LOT COVERAGE AT 4325 SUMNER STREET.
SPECIAL PERMIT NO. 2005 - APP. OF BRIAN D. CARSTENS REPRESENTING GENE A. & PATRICIA M. SCHMIDT TO CREATE A C.U.P. LOCATED AT 2105 SOUTH CODDINGTON AVENUE.
SPECIAL PERMIT NO. 2007 - APP. OF CRAIG CHESNUT, REPRESENTING W. R. LESOING TO SELL LIQUOR, ON SALE BEER & WINE, CLASS J AT 1000 SAUNDERS AVE.
SPECIAL PERMIT NO. 2008 - APP. OF RED ROBIN INTERNATIONAL, INC. TO ALLOW THE SALE OF ALCOHOL GENERALLY LOCATED AT 27TH & PINE LAKE RD.
SPECIAL PERMIT NO. 2009 - APP. OF BRIAN D. CARSTENS, REPRESENTING EUGENE T. & JO ANN L. BENES TO CREATE A GARDEN CENTER AT 6901 WEST "O" STREET.
SPECIAL PERMIT NO. 2010 - APP. OF OLSSON ASSOCIATES, REPRESENTING RIDGE DEVELOPMENT CO. & SOUTHVIEW, INC. TO ADD A TOWN HOME DEVELOPMENT GENERALLY LOCATED AT SOUTH 30TH & YANKEE HILL ROAD; ALONG SOUTH 30TH STREET.
SPECIAL PERMIT NO. 2011 - APP. OF OLSSON ASSOCIATES, REPRESENTING ANDERMATT L.L.C. FOR A WAIVER OF DESIGN STANDARDS FOR A EARLY CHILDHOOD DEV. CTR. GENERALLY LOCATED AT S. 91ST STREET AND HERITAGE LAKES DRIVE.

REPORTS OF CITY OFFICERS

INVESTMENT OF FUNDS FROM APRIL 7 THROUGH APRIL 11, 2003 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-82065 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of attachments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

REPORT OF CITY TREASURER OF MONTHLY CASH REPORT FOR THE MONTH OF APRIL, 2003
CLERK presented said report which was placed on file in the Office of the City Clerk. **(5-21)**

REPORT OF CITY LAW DEPARTMENT OF THEIR ANNUAL REPORT FOR 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(3)**

REPORT OF UNL MICROBIOLOGIST FOR WATER TESTING DONE FOR THE MONTH OF MARCH, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(35-01)**

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON APRIL 7, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk.

ORDINANCES - 1ST READING

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF REVENUE BONDS OF THE SANITARY SEWER SYSTEM OF THE CITY OF LINCOLN - CLERK read the following ordinance, introduced by Coleen Seng, authorizing and providing for the issuance of revenue bonds of the sanitary sewer system of the City of Lincoln, the first time.

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$55,000,000 AGGREGATE PRINCIPAL AMOUNT OF LINCOLN SANITARY SEWER SYSTEM REVENUE AND

REFUNDING BONDS, AND RELATED MATTERS - CLERK read the following ordinance, introduced by Coleen Seng, authorizing and providing for the issuance of not to exceed \$55,000,000 aggregate principal amount of Lincoln Sanitary Sewer System revenue and refunding bonds, and related matters, the first time.

AMENDING CHAPTER 4.62 OF THE LINCOLN MUNICIPAL CODE TO ESTABLISH A POLICE AND FIRE PENSION PLAN BOARD OF TRUSTEES TO PROVIDE OVERSIGHT AND DIRECTION WITH REGARD TO THE INVESTMENT OF THE ASSETS OF THE POLICE AND FIRE PENSION PLANS - CLERK read the following ordinance, introduced by Coleen Seng, amending Chapter 4.62 of the Lincoln Municipal Code to establish a police and fire pension plan board of trustees to provide oversight and direction with regard to the investment of the assets of the police and fire pension plans, the first time.

ORDINANCES - 3RD READING

VACATING THE NORTH-SOUTH ALLEY FROM THE NORTH LINE OF VACATED HATCH STREET RUNNING NORTHWESTERLY BETWEEN LOT 18, BLOCK 33, WRINGTON ADDITION, AND LOT 146 I.T., IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH, RANGE 6 EAST, GENERALLY LOCATED AT 7TH AND VACATED HATCH STREETS - CLERK read an ordinance, introduced by Glenn Friendt, vacating the north-south alley from the north line of vacated Hatch Street running northwesterly between Lot 18, Block 22, Wrington Addition, and Lot 146 I.T.; in the Southeast Quarter of Section 35, Township 10 North, Range 6 East of the 6th P.M., and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

FRIENDT Moved to pass the ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance being numbered **#18164** is recorded in Ordinance Book No.259, Page

VACATING WEST M STREET FROM THE WEST LINE OF SOUTH CODDINGTON AVENUE TO ITS TERMINATION, APPROXIMATELY 300 FEET WEST OF THE WEST LINE OF SOUTH CODDINGTON AVENUE - PRIOR to reading:

FRIENDT Moved to amend Bill No. 03-56 in the following manner:

On line 8, delete the word "alley" and insert in lieu thereof the word street.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK Read an ordinance, introduced by Glenn Friendt, vacating West M Street from the west line of South Coddington Avenue westerly to its termination, approximately 300 feet west of the west line of South Coddington Avenue and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

FRIENDT Moved to pass the ordinance as amended.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance being numbered **#18165** is recorded in Ordinance Book No.259, Page

MISCELLANEOUS BUSINESS

RECONSIDERATION

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF MARCH 16 - 31, 2003 - PRIOR to reading:

SVOBODA Moved to waive Council rules to reconsider Bill 03R-90.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK Read the following resolution, introduced by Annette McRoy, who moved its re-adoption:

A-82042 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated April 1, 2003, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of,

are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED</u>		<u>ALLOWED</u>	
Stanley Woodring	NAS*	Albert Maribaga, on behalf of	
Jeremy Tumbleson	\$849.30	minor daughter, Yasmin Nasur	\$8,200.00
Deb Reichel	NAS*	Ayak Kok, on behalf of minor	
D. Bruce McKaeg	NAS*	daughter, Aduot Abdalla	8,200.00
		Fred & Lorelee Carter	3,412.10
		Samuel Brown	2,500.00
		Troy Ellsworth	1,900.00
		Rex & Cari Jordan	200.00
		Darren Hosick	2,647.08
		Paul Daniels Interiors	1,786.97
		Progressive Insurance Co.	
		(Dawn Styskal, Insured)	1,924.90
		Alan Katzberg	388.28
		Allen Hall	9,900.00

* No Amount Specified

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

PENDING -

CAMP Moved to extend the Pending List to April 28, 2003.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on April 28, 2003.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ADJOURNMENT

8:20 P.M.

CAMP Moved to adjourn the City Council meeting of April 21, 2003.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
So ordered.

Joan Ross, City Clerk

Glenna Graupmann, Senior Office Assistant